

IN THE SENATE

SENATE BILL NO. 1089

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO  
EARLY RETIREMENT INCENTIVE EXCLUDING ADMINISTRATIVE STAFF; AMENDING  
SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHOOL  
DISTRICTS EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS AND TO MAKE A  
CODIFIER'S CORRECTION; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1004G, Idaho Code, be, and the same is hereby  
repealed.

SECTION 2. That Section 33-1004H, Idaho Code, be, and the same is hereby  
amended to read as follows:

33-1004H. EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS. (1)  
Notwithstanding the provisions of section 33-514, 33-1271 or 33-1273, Idaho  
Code, school districts may employ certificated school teachers and admin-  
istrators who are receiving retirement benefits from the public employee  
retirement system of Idaho, except those who received benefits under the  
early retirement program previously provided ~~in section 33-1004G, Idaho  
Code, by the state~~ in positions requiring such certification, as at-will  
employees. Any employment contract between the retiree and the school dis-  
trict shall be separate and apart from the collective bargaining agreement  
of the school district.

(2) Retirees employed under this section shall accrue one (1) day  
per month of sick leave, with no annual sick leave accumulation unless  
additional sick leave is negotiated between the candidate and the school  
district at the time of employment. No sick leave accrued under this section  
qualifies for unused sick leave benefits under section 33-1228, Idaho Code.

(3) School districts are not required to provide health insurance or  
life insurance benefits to persons employed under this section. Post-ter-  
mination benefits may be negotiated between the school district and the cer-  
tificated employee at the time of rehiring but in no event can the parties  
affect or attempt to affect the provisions governing the public employee re-  
tirement system.

SECTION 3. An emergency existing therefor, which emergency is hereby  
declared to exist, this act shall be in full force and effect on and after its  
passage and approval.